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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO GALVAN-SILVESTRE, JR.,

Defendant.

CASE NO. 1:22-cr-00234-ADA-BAM

STIPULATION REGARDING CONTINUANCE
AND EXCLUDABLE TIME PERIODS UNDER
SPEEDY TRIAL ACT; ORDER

DATE: March 27, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on March 27, 2024.
2. By this stipulation, defendant now moves to continue the status conference until May 22, 2024, and to exclude time between March 27, 2024 and May 22, 2024, under 18 U.S.C.

§ 3161(h)(7)(A), B(iv) [Local Code T4].

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports produced in electronic form. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) The government has provided a plea offer to the defendant.

c) Counsel for defendant desires additional time for defense investigation, plea negotiations, and consideration of immigration issues.”

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of March 27, 2024 to May 22, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant’s request on the basis of the Court’s finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

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1 IT IS SO STIPULATED.

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3 Dated: March 20, 2024

PHILLIP A. TALBERT
United States Attorney

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5 /s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
6 Assistant United States Attorney

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9 Dated: March 20, 2024

10 /s/ CHRISTINA M.
CORCORAN
11 CHRISTINA M. CORCORAN
Counsel for Defendant
12 ALEJANDRO GALVAN-
13 SILVESTRE, JR.

14
15 **ORDER**

16 IT IS SO ORDERED that the status conference is continued from March 27, 2024, to **May 22,**
17 **2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is excluded
18 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). The Court intends to set a trial date at the next status
19 conference. If the parties do not resolve the case in advance of the next status conference, they shall be
20 prepared to set a trial date at the status conference hearing.

21 IT IS SO ORDERED.

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23 Dated: **March 20, 2024**

/s/ *Barbara A. McAuliffe*
24 UNITED STATES MAGISTRATE JUDGE